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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/928,861	09/12/1997	IGOR NEYMAN	P3251	1146

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EXAMINER

HOOSAIN, ALLAN

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 10/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	08/928,861	NEYMAN ET AL.
Examiner	Art Unit	
Allan Hoosain	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on Reconsideration, 8/22/02.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 2-10 and 12-18 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 2-10 and 12-18 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .      6) Other: \_\_\_\_\_

## FINAL DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 recites the limitation "the call center" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 2-10 and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by **Rogers et al.** (US 5,946,386).

As to Claim 2, with respect to Figures 1 and 5, **Rogers** teaches a method for routing Internet Protocol Network Telephony (IPNT) calls at customer premises having a managing processor and a computer workstation coupled to the managing processor, the managing processor storing a current set of routing rules specific to and accessible and editable by a person assigned to the computer workstation, the method comprising steps of:

- (a) receiving an IPNT call at the managing processor (Col. 7, lines 39-43);
- (b) determining the person assigned to the workstation is an intended recipient for the call (Col. 11, lines 20-43);
- (c) requesting routing by the managing processor from the specific set of current routing rules for the workstation, accessible and editable by the person assigned to the computer workstation (Col. 12, lines 1-6 and Col. 36, lines 33-45); and
- (d) routing the call according to the current routing rules specific to the person (Col. 36, lines 33-45 and Col. 37, lines 1-51).

As to Claims 3,17, **Rogers** teaches the method of claim 2 wherein the editable routing rules specific to the person are maintained at the computer workstation (Col. 36, lines 46-51).

As to Claims 4,14, **Rogers** teaches the method of claim 2 wherein the editable routing rules for the intended recipient are maintained on a central client-server router executed on a processor (Col. 36, lines 24-28 and Col. 9, lines 1-11).

As to Claims 5,15, **Rogers** teaches the method of claim 4 wherein the processor is the managing processor for the call center (Col. 36, lines 24-28).

As to Claims 6,12,16, **Rogers** teaches the method of claim 4 wherein the processor executing the client-server router is a processor separate from the managing processor (Figure 1, labels 101 and 110).

As to Claim 7, **Rogers** teaches the method of claim 2 comprising a step executed by the person for editing the routing rules via an interactive Graphical User Interface (GUI) executed on the intended recipient's computer workstation (Col. 36, lines 18-24).

As to Claim 8, **Rogers** teaches the method of claim 4 wherein there are multiple workstations coupled to the managing processor, and the client-server router has router-rule portions dedicated to individual ones of users (agents) at individual ones of the computer workstations, and wherein an individual user (agent), through a user interface executing on a computer workstation to which the user (agent) is assigned, may access the portion dedicated to that user (agent), and edit the routing rules therein (Col. 36, lines 24-32).

As to Claim 9, **Rogers** teaches the method of claim 8 wherein the user interface comprises a graphical user interface (GUI) having icons indicating telephone calls received and for choices of disposition of telephone calls received, and including steps for a user (an agent) to precipitate actions in call routing by iconic drag-and-drop procedures (Figures 6a and 6b).

As to Claim 10, with respect to Figures 1-2 and 5, **Rogers** teaches in a customer premises Internet Protocol Network Telephony organization (call center) having a managing processor including sets of routing rules specific to individual users (agents) assigned to workstations, the managing processor for routing received calls to individual ones of the connected users (agents) at computer workstations, a method for individual customization of routing rules for the received calls, comprising steps of:

- (a) executing a client user interface on one of the computer workstations by a user (an agent) at the station (Col. 36, lines 23-32);
- (b) determining routing for the received calls addressed to the computer workstation at the computer workstation by the user (agent) at the computer workstation using the client user interface to access and edit personal routing rules (Col. 33-45);
- (c) transmitting the routing determination to a router executing on the managing processor (Col. 36, lines 19-32); and
- (d) routing the received telephone calls by the router according to the transmitted routing determination (Col. 36, lines 33-45 and Col. 37, lines 1-51).

As to Claim 13, with respect to Figures 1 and 5, **Rogers** teaches a call router system for determining routing of incoming Internet Protocol Network Telephony calls in a customer premises organization (call center) including a managing processor connected to individual computer workstations, the managing processor having sets of routing rules specific to individual agents, the router system comprising:

a client user interface executable on one of the computer workstations, and adapted to provide functions for editing routing rules for individual users (agents) (Col. 36, lines 46-51); and

a router listing current routing rules specific to the user (agent) at the workstation (Col. 36, lines 23-27 and 46-52);

wherein the client user interface is adapted to transmit user (agent)-edited routing rules to the router, and the router is adapted to provide routing to incoming calls addressed to the user (agent) according to the current routing rules (Col. 36, lines 33-45 and Col. 37, lines 1-51).

As to Claim 18, **Rogers** teaches the organization (call router) system of claim 14 wherein routing rules for connected user's (agent's) computer workstations are maintained separately on the processor that executes the router, and wherein routing is accessed from the routing rules according to destination information for received calls (Figure 1, labels 110, 101 and Col. 36, lines 33-45).

#### *Response to Arguments*

5. Applicant's arguments filed 8/22/02 have been fully considered but they are not persuasive because of the following:

(a) **Rogers'** voice over Internet calls are not the claimed IPNT calls because **Rogers'** voice over Internet calls are converted to standardized telephony signals.

Examiner respectfully disagrees. This is because **Rogers** teaches a voice over Internet interface and receiving calls directly over the Internet (Figure 2, label 207, Col. 11, lines 40-43,

Col. 25, lines 9-12 and Col. 39, lines 10-11). These passages teach that Internet callers use terminals which receive and transmit Internet information in a similar manner to that taught in the disclosure and quoted in the Remarks. Applicants appear to be arguing that their IPNT calls do not use PSTN facilities. However, there is no disclosure that such is the case. The Figures and the disclosure all suggest that callers and agents use PSTN facilities to conduct IPNT calls. If IPNT calls use PSTN facilities, then there must be conversion in a similar manner to Rogers at the cited passages by Applicants. If IPNT calls do not use PSTN facilities, then Applicants should point out where the support for such IPNT calls is in the disclosure.

(b) Examiner respectfully invites Applicants to contact Examiner to discuss possible amendments for overcoming the prior art of record.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Bannister et al.** (US 6,430,282) teach setting up voice calls using the Internet.

**Coffman et al.** (US 6,385,191) teach completing Interent calls to agents at call centers.

**Brown et al.** (US 6,385,646) teach establishing voice communications in an Interent environment.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any response to this final action should be mailed to:

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE")

**Or:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Allan Hoosain*  
Allan Hoosain  
Primary Examiner  
10/23/02